

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SILVAYN VAZQUEZ, et al.,

Plaintiffs,

-v-

MOBILESHACK INC., et al.,

Defendants.

19 Civ. 10371 (PAE) (GWG)

ORDER

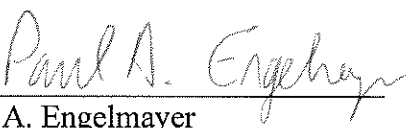
PAUL A. ENGELMAYER, District Judge:

On May 10, 2022, plaintiffs submitted a stipulation of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) against defendants First Class Wireless Inc., International Cellular Inc., BestBuy Wireless Inc., Express Mobile, Inc., Cellular Stop Inc., Cellular Stop II, Inc., WorldWide Mobile, Inc., Mobilecom Inc., International Mobile, Inc., Repair City Inc., WirelessWorld of Manhattan Inc., and Cellular To Go, Ltd. Dkt. 114.

This is a case brought under the Fair Labor Standards Act (“FLSA”). Parties cannot privately settle FLSA claims with prejudice absent the approval of the district court or the Department of Labor. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 200 (2d Cir. 2015). In this case, plaintiffs, however, have stipulated to a dismissal of this case *without* prejudice. Further, plaintiffs have informed the Court that no settlement exists between plaintiffs and the parties to be dismissed. Dkt. 107. The Court therefore need not review the terms of any settlement under *Cheeks*. *See* 796 F.3d at 201 n.2 (leaving for another day the question of whether parties may settle such cases and dismiss without prejudice without approval of the district court or the Department of Labor).

The Clerk of the Court is respectfully directed to terminate the above-listed defendants.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: May 11, 2022
New York, New York